

Statutes

Vermont's Child Care Licensing Statute

Vermont's child care licensing and registration regulations are based on the licensing statute enacted by the legislature, which directs the Commissioner of the Social and Rehabilitation Services to develop regulations, and to review and update the regulations every three years.

Chapter 35, 33 V.S.A. Section 3502

(a) Unless exempted under subsection (b), a person shall not operate a day care facility without a license, or operate a family day care home without registration from the department.

(b) The following persons are exempted from the provisions of subsection (a):

1. A person providing care for children of not more than two families other than that of the person providing the care.
2. A hospital or establishment holding a license issued by the department of health, or a person operating a program primarily for recreational or therapeutic purposes, unless the hospital, establishment or person provides services for the care, protection and supervision of children not incidental to its purpose in which case subsection (a) shall apply to those nonincidental additional services.
3. Day care facilities operated by religious organizations for the care and supervision of children during or in connection with religious services or church sponsored activities.
4. Nursery schools or other preschool establishments, attended by children of less than compulsory school age, which are subject to regulation by the department of education.

(c) A person who has a license to operate a day care facility shall not operate a family day care home. A person who operates a registered family day care home shall not operate a day care facility.

(d) Regulations pertaining to day care facilities and family day care homes shall be designed to insure that children in day care facilities and family day care

homes are provided with wholesome growth and educational experiences, and are not subjected to neglect, mistreatment or immoral surroundings.

(e) At least each three years the department shall review the regulations for licensure and registration for revision or updating.

(f) The commissioner, upon request, and in his discretion, may grant waivers and variances to child-adult ratios if licensure is applied for by a registered day care facility.